

REMARKS

Claims 1-20 are pending in this application. By this Amendment, the specification is amended to correct an informality, claims 5, 10 and 19 are amended to correct an informality, and claims 1, 7 and 15 are amended for clarity. Thus, no new matter is added by this Amendment.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Vo in the November 17, 2005, personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Objections

Claims 5, 10 and 19 are objected to because "the group" lacks antecedent basis. Applicants herein amend each of these claims to replace "the group" with "a group." Withdrawal of the objection is respectfully requested.

II. Claim Rejections

Claims 1, 2, 4-7, 9-16 and 18-20 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,520,630 (Oda); claims 1-3, 6-8, 11-17 and 20 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,968,998 (Allen); and claims 3, 8 and 17 are rejected under 35 U.S.C. §103(a) over Oda in view of Allen. These rejections are respectfully traversed.

Independent claims 1, 7 and 15 recite a venting port and a fluid inlet port each having an open end or an opening, the open end or opening of each the venting port and fluid port being located at substantially the same level, in a gravitational direction, to increase biometric efficiency and reduce staining, and/or both of the open ends or openings being exposed to the atmosphere at substantially the same level, in a gravitational direction.

Oda and Allen, as well as all of the other cited references of record, whether each is taken alone or in any combination, fail to disclose the features of independent claims 1, 7 and 15.

More specifically, Oda discloses that while the port 52 is similar to the port 50, a pipe 56b is different in length from the pipe 56a. Namely, the pipe 56b has an extension 79 that extends below a support portion 64b. Thus, a lower end (open end) of the pipe 56b rather than the lower end (open end) of the pipe 56a is placed in a low position in the first ink chamber 32. See col. 12, lines 1-6 of Oda. Accordingly, Oda teaches away from a venting port and a fluid port being located at substantially the same level.

Similar to Oda, Allen, at Figs. 1, 2 and 4, illustrates two ports, each having a different length. Accordingly, Allen also fails to disclose a venting port and a fluid inlet port each with open ends, or openings, that are located at substantially the same level, in a gravitational direction.

During the November 17 interview with the Examiner, the Examiner noted that Oda illustrates two ports, each with openings 72A and 72B that are substantially at the same level. However, the openings 72A and 72B of Oda are hermetically sealed from the outside by the seal members 62A and 62B. Thus, the openings 72A and 72B can not act to increase volumetric efficiency and reduce staining, as required by claims 1 and 7. Furthermore, the openings 72A and 72B that are hermetically sealed from the outside cannot be open to the atmosphere, as recited in claim 15.

For the foregoing reasons, Oda, Allen, as well as all of the cited references of record, fail to disclose, teach or otherwise suggest a venting port and a fluid inlet port each having an open end or an opening, the open end or opening of the venting port and the fluid port being located at substantially the same level, in a gravitational direction, to increase biometric efficiency and reduce staining, and/or both of the open ends or openings being exposed to the atmosphere at the same level, in a gravitational direction, as recited in claims 1, 7 and 15. Claims 2-6, 8-14 and 16-20 depend respectively from claims 1, 7 and 15. Thus, claims 2-6,

8-14 and 16-20 are not anticipated or otherwise rendered obvious from the cited references of record, at least for the same reasons discussed above.

Withdrawal of the rejections is requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Linda M. Saltiel
Registration No. 51,122

JAO:LMS/eks

Date: November 21, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--